

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NAKIA CHANEY,

Plaintiff,

-v-

No. 9:13-CV-251
(DNH/ATB)

DOMINIC D'AGOSTINO, Schenectady County
Sheriff; and KATHLEEN MASIELLO, Inmate
Records Coordinator, Walkill Correctional
Facility,

Defendants.

APPEARANCES:

OF COUNSEL:

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Plaintiff Pro Se
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KEVIN M. HAYDEN, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Nakia Chaney filed this civil rights action pursuant to 42 U.S.C. § 1983. On February 10, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that both defendant D'Agostino and defendant Masiello's motions for summary judgment be granted on the basis of qualified immunity and the complaint be dismissed in its entirety. No objections to the Report-Recommendation were filed.

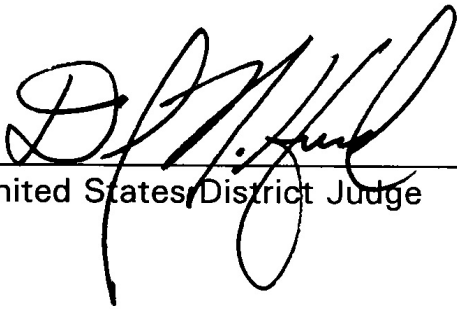
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant D'Agostino's motion for summary judgment is GRANTED and all federal claims against him are DISMISSED;
2. Defendant Masiello's motion for summary judgment is GRANTED and all federal claims against her are DISMISSED;
3. To the extent plaintiff asserts state law claims, the exercise of supplemental jurisdiction will be declined pursuant to 28 U.S.C. § 1367(c)(3) and those claims are DISMISSED without prejudice;
4. The complaint is DISMISSED in its entirety; and
5. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules, enter judgment accordingly, and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: March 5, 2015
Utica, New York.